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4-1-04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/665,934  
Applicant : Clifford A. McCarthy, et al.  
Filed : September 20, 2000  
Title : METHOD AND APPARATUS FOR SCALING OF RESOURCE  
ALLOCATION SUBJECT TO MAXIMUM  
TC/A.U. : 2141  
Examiner : Adnan M. Mirza  
Docket No. : 10003832-1  
Customer No. : 022879

**RECEIVED**  
MAR 31 2004  
Technology Center 2100

**Mail Stop Non-Fee Amendment**  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.111**

Sir:

In response to the Office Action mailed January 13, 2004, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Clifford A. McCarthy, et al.

Confirmation No.: 8556

Application No.: 09/665,934

Examiner: Adnan M. Mirza

Filing Date: 9/20/2000

Group Art Unit: 2141

Title: METHOD AND APPARATUS FOR SCALING OF RESOURCE ALLOCATION SUBJECT TO  
MAXIMUM

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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MAR 31 2004  
Technology Center 2100

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
(X) No additional fee (Address envelope to "Mail Stop Non-Fee Amendment")  
( ) Other: (fee \$ )

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	17	MINUS	20	= 0	X \$18	\$ 0
INDEP. CLAIMS	3	MINUS	3	= 0	X \$86	\$ 0
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit:

Typed Name:

Signature: \_\_\_\_\_

Respectfully submitted,

Clifford A. McCarthy, et al.

By \_\_\_\_\_

Kelly T. Lee

Attorney/Agent for Applicant(s)  
Reg. No. 47,743

Date: March 30, 2004